

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Shilen Amin,

Plaintiff,

-against-

Jitin Hingorani et al.,

Defendants.

1:22-cv-09851 (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

WHEREAS, on April 9, 2025, Plaintiff filed a 3-page motion for a default judgment and related relief that was unaccompanied by a memorandum of law (Mot. for Default J., ECF No. 102); and

WHEREAS, on May 7, 2025, pursuant to Court Order (4/21/25 Order, ECF No. 103), Plaintiff filed a memorandum of law in support of his motion, in which he requests that the Court vacate the prior Orders entered by District Judge Gardephe, when he was the presiding judge in this case, which denied Plaintiff's motions for injunctive relief (the "Prior Orders") (Pl.'s 5/7/25 Mem., ECF No. 104, at 2, 17-18, 20); and

WHEREAS, Plaintiff previously had filed notices of interlocutory appeal with respect to the Prior Orders (see Not. of Interlocutory Appeal, ECF No. 81; Am. Not. of Interlocutory Appeal, ECF No. 91), and the appeal from the Prior Orders currently is pending in the U.S. Court of Appeals for the Second Circuit (Court of Appeals Docket # 24-3219); and

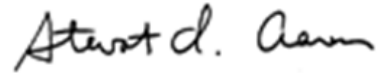
WHEREAS, "an interlocutory appeal . . . 'divests the district court of its control over those aspects of the case involved in the appeal[,]'" *Coinbase, Inc. v. Bielski*, 599 U.S. 736, 740 (2023) (quoting *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982)).

NOW, therefore, it is hereby ORDERED, as follows:

1. Plaintiff's motion for a default judgment is DENIED WITHOUT PREJUDICE, pending a decision by the Second Circuit on the pending appeal.
2. This case is stayed pending a decision by the Second Circuit on the pending appeal, since the entire case essentially is "involved in the appeal." *See Griggs*, 459 U.S. at 58.

SO ORDERED.

Dated: New York, New York
June 20, 2025

A handwritten signature in black ink, reading "Stewart D. Aaron", is positioned above a horizontal line.

STEWART D. AARON
United States Magistrate Judge